IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

OP.No. 9869 of 1995(Y)

PETITIONER:

EXECUTIVE ENGINEER,
ELECTRICAL DIVISION,
K.S.E.BOARD, KOTTARAKKARA.

BY ADV. SRI.P.V.KUNHIKRISHNAN, SC, KSEB
SRI.C.RAGHAVAN, SC, KSEB
SRI.N.D.PREMACHANDRAN, SC, KSEB
BY STANDING COUNSEL MR.C.K.KARUNAKARAN

RESPONDENTS:
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1. J.MURALI, SREEKRISHNA AUTO ELECTRICAL WORKSHOP, KIZHAKKEKARA, KOTTARAKKARA.

2. STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, POWER DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

3. SUB DIVISONAL MAGISTRATE, KOLLAM.

4. SESSIONS COURT, KOLLAM (DELETED)

(R4 IS DELETED AS PER ORDER DT.26.6.1995 ON OP)

BY ADV. SRI.C.V.VASUDEVAN

THIS ORIGINAL PETITION HAVING COME UP FOR FINAL HEARING ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE PRELIMINARY ORDER DATED 14.8.91 ISSUED BY THE 3RD RESPONDENT.

EXT.P2 TRUE PHOTO COPY OF THE FINAL ORDER DATED 31.5.94 ISSUED BY THE 3RD RESPONDENT.

EXT.P3 TRUE PHOTO COPY OF THE REVISION ORDER DATED 21.12.1994 PASSED BY THE 4TH RESPONDENT.

EXT.P4 TRUE PHOTO COPY OF THE SALE DEED DATED 27.9.76 EXECUTED IN FAVOUR OF THE FIRST RESPONDENT'S WIFE.

RESPONDENTS' EXHIBITS:

EXT.R1 TRUE COPY OF THE REPORT DATED 28.4.91 FILED BY THE ASSISTANT EXECUTIVE ENGINEER, KOTTARAKKARA.

/ TRUE COPY /

H.L.DATTU, C.J. & K.T.SANKARAN, J.

O.P.No.9869 of 1995

Dated, this the 19th day of July, 2007

JUDGMENT

H.L.Dattu, C.J.

Respondent No.1 who is the contesting respondent in this original petition has expired long back. Petitioner has not taken any steps to bring the legal representatives of the first respondent, who is the contesting respondent. In view of that, in our opinion, this petition stands abated. Registry is directed to concise this original petition to the record room.

2. In view of the order passed in the original petition, the relief sought in C.M.P.No.17385 of 1995 need not be considered by this Court. Accordingly the said C.M.P. is also dismissed.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

vns